

## STATEMENT OF BASIS (AI No. 5264)

for draft Louisiana Pollutant Discharge Elimination System Permit No. LA0123315 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** C & C Boat Works, LLC  
701 Engineers Road  
Belle Chasse, LA 70037

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services (Office)  
Post Office Box 4313  
Baton Rouge, LA 70821-4313

**PREPARED BY:** Gene Jarreau

**DATE PREPARED:** November 6, 2009

### 1. PERMIT STATUS

#### A. Reason For Permit Action:

Issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

**B. NPDES permit:** EPA has not retained enforcement authority.  
NPDES permit effective date: N/A  
NPDES permit expiration date: N/A

**C. LPDES permits:** Initial permit.  
LPDES permit effective date: N/A  
LPDES permit expiration date: N/A

**D. Date Application Received:** March 6, 2006

### 2. FACILITY INFORMATION

#### A. FACILITY TYPE/ACTIVITY: Vessel building and repair.

This is an existing vessel building and repair facility. Sources of water supply are municipal water for sewerage treatment plant and yard usage (2,500 GPD), and Gulf Intracoastal Waterway (Alternate Route) brackish water for dry dock usage (103,022 GPD average). Discharges come from 6 sewerage treatment plants and 3 floating dry docks. The dry dock discharges use Gulf Intracoastal Waterway (Alternate Route) water for ballast, do not add additives, and then return the ballast water to the Gulf Intracoastal Waterway (Alternate Route). Blasting and fabrication occur on the yard, utilizing sand and steel plating. Waste sand is to be reused offsite. Stored outside is diesel fuel and used oil in storage tanks, covered by the facility Spill Control Plan (SPC). Other requirements have been placed in the permit for this facility's stormwater discharges.

#### B. FEE RATE

1. Fee Rating Facility Type: Minor
2. Complexity Type: I (BPJ based on Interim Strategy for Complexity Designation Determinations for SIC Codes 3731 and 3732)
3. Wastewater Type: III
4. SIC Codes: 3731

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C. LOCATION: 2611-17 Engineers Road in Belle Chasse, Plaquemines Parish.  
Latitude 29° 50' 24"; Longitude 90° 02' 36".

### 3. OUTFALL INFORMATION

#### Outfall 001

Discharge Type: The intermittent discharge of treated sanitary wastewater from the office.

Treatment: Extended aeration.

Location: At the point of discharge from the sewerage treatment plant, located on the front side of the office, prior to mixing with other waters.

Flow: 1,000 GPD (Intermittent)

Discharge Route: By effluent pipe into parish drainage ditches, thence into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

#### Outfall 002

Discharge Type: The intermittent discharge of treated sanitary wastewater from the bathhouse.

Treatment: Extended aeration.

Location: At the point of discharge from the sewerage treatment plant, located at the bathhouse, prior to mixing with other waters.

Flow: 750 GPD (Intermittent)

Discharge Route: By effluent pipe into parish drainage ditches, thence into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

#### Outfall 003

Discharge Type: The intermittent discharge of treated sanitary wastewater from the guard shack building.

Treatment: Extended aeration.

Location: At the point of discharge from the sewerage treatment plant, located at the guard shack building, prior to mixing with other waters.

Flow: 500 GPD (Intermittent)

Discharge Route: By effluent pipe into parish drainage ditches, thence into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

#### Outfall 004

Discharge Type: The intermittent discharge of treated sanitary wastewater from the trailer office.

Treatment: Extended aeration.

Location: At the point of discharge from the sewerage treatment plant, located on the side of the trailer office, prior to mixing with other waters.

Flow: 500 GPD (Intermittent)

Discharge Route: By effluent pipe into parish drainage ditches, thence into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

#### Outfall 005

Discharge Type: The intermittent discharge of treated sanitary wastewater from the fabrication shop.

Treatment: Extended aeration.

Location: At the point of discharge from the sewerage treatment plant, located at the rear of the fabrication shop, prior to mixing with other waters.

Flow: 500 GPD (Intermittent)

Discharge Route: By effluent pipe into parish drainage ditches, thence into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

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Outfall 006

Discharge Type: The intermittent discharge of treated sanitary wastewater from the New Construction Fabrication Building.

Treatment: Extended aeration.

Location: At the point of discharge from the sewerage treatment plant, located at the New Construction Fabrication Building, prior to mixing with other waters.

Flow: 750 GPD (Intermittent)

Discharge Route: By effluent pipe into parish drainage ditches, thence into Bayou Barataria, thence into the Gulf Intracoastal Waterway.

Outfall 07B

Discharge Type: The intermittent discharge of facility ballast water, dry dock ballast water, and void water.

Treatment: None

Location: At the point of discharge from Dry Dock No. 1, located at the rear of the facility, prior to mixing with other waters.

Flow: 824,670 gallons per cycle (Batch)

Discharge Route: Directly into the Gulf Intracoastal Waterway (Alternate Route).

Outfall 08B

Discharge Type: The intermittent discharge of facility ballast water, dry dock ballast water, and void water.

Treatment: None

Location: At the point of discharge from Dry Dock No. 2, located at the rear of the facility, prior to mixing with other waters.

Flow: 246,840 gallons per cycle (Batch)

Discharge Route: Directly into the Gulf Intracoastal Waterway (Alternate Route).

Outfall 09B

Discharge Type: The intermittent discharge of facility ballast water, dry dock ballast water, and void water.

Treatment: None

Location: At the point of discharge from Dry Dock No. 3, located at the rear of the facility, prior to mixing with other waters.

Flow: 370,805 gallons per cycle (Batch)

Discharge Route: Directly into the Gulf Intracoastal Waterway (Alternate Route).

#### 4. RECEIVING WATERS

STREAMS: Gulf Intracoastal Waterway (Alternate Route) (Outfalls 07B-09B) and Bayou Barataria (Outfalls 001-006).

BASIN AND SUBSEGMENT: Barataria Basin; Subsegment 020601

DESIGNATED USES: a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife

#### 5. TMDL STATUS

Subsegment 020601, Intracoastal Waterway – from Bayou Villars to Mississippi River, is listed on LDEQ's Final 2006 303(d) List as impaired for fecal coliform. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL.

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#### Fecal Coliform

Effluent limitations and monitoring requirements have been added due to the fecal coliform impairment, since fecal coliform is known to be present in sanitary wastewater. These requirements are established based on the Class I Sanitary General Permit and LAC33:IX.2709.D, and will be used to gather data for possible future TMDL development.

### **6. PROPOSED EFFLUENT LIMITS**

BASIS: See Rationale below.

### **7. COMPLIANCE HISTORY/COMMENTS**

A compliance history/DMR review was done covering the period of November 8, 2004 to November 6, 2009.

1. DMR Review/Excursions Reported – N/A
2. Compliance History – There are no known open, appealed, or pending water enforcement actions as of November 6, 2009. However, an air enforcement Warning Letter (AE-L-08-0107) was issued to this facility on June 20, 2008. Also, an air enforcement Notice Of Potential Penalty (AE-PP-08-0107) was issued to this facility on August 4, 2009.
3. Inspections – There were no known water permit inspections performed as of November 6, 2009. Therefore, a water inspection was requested on December 1, 2009. However, an air permit inspection was performed on April 25, 2008 (due to a complaint). Areas Of Concern from this inspection were the basis for a Referral from LDEQ Surveillance to LDEQ Enforcement on May 9, 2008.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrated two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities, and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

### **8. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 020601 of the Barataria Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

### **9. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the

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Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

#### **10. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Louisiana Department of Environmental Quality has made a tentative determination to issue a permit for the discharges described in the application.

#### **11. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation;

Office of Environmental Services Public Notice Mailing List.

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### Rationale for C & C Boat Works, LLC

#### 1. Outfalls 001 - 006: The intermittent discharge of treated sanitary wastewater.

<u>Pollutant</u>	<u>Limitation</u>	<u>Reference</u>
Flow (MGD)	Report**; *	LAC 33:IX.2707.1.1.b
BOD <sub>5</sub>	30 mg/L**; 45 mg/L*	BPJ; LAG530000
TSS	30 mg/L**; 45 mg/L*	BPJ; LAG530000
Fecal Coliform	200 colonies/100 ml**; 400 colonies/100 ml*	BPJ; LAG530000
pH	6.0 -- 9.0 standard units (Minimum -- Maximum)	LAC 33:IX.1113.C.1

\* Daily Maximum

\*\* Monthly Average

BPJ Best Professional Judgment  
 MGD Million Gallons Per Day  
 BOD<sub>5</sub> Biochemical Oxygen Demand (5-Day)  
 TSS Total Suspended Solids

**Treatment:** Extended Aeration.

**Monitoring Frequency:** 1/6 months for all parameters, at the point of discharge from the STP prior to combining with other waters.

**Limits Justification:** BPJ; per the Class I Sanitary Discharge General Permit (LAG530000), Schedule B, Treated Sanitary Wastewater less than 5000 GPD and similar discharges. The statistical basis for flow, BOD<sub>5</sub>, TSS, and fecal coliform has been established as daily maximum discharge limitations instead of weekly average discharge limitations. This is consistent with current Office guidance for sanitary discharges at industrial facilities.

#### 2. Outfalls 07B-09B: The intermittent discharge of facility ballast water, dry dock ballast water, and void water.

<u>Pollutant</u>	<u>Limitation</u>	<u>Reference</u>
Flow (MGD) <sup>1</sup>	Report**; *	LAC 33:IX.2707.1.1.b
COD <sup>1</sup>	250 mg/L*	Similar Discharges; BPJ
Oil and Grease <sup>1</sup>	15 mg/L*	Similar Discharges; BPJ
Visible Sheen <sup>2</sup>	No Presence	Similar Discharges; BPJ
pH <sup>1</sup>	6.0 -- 9.0 standard units (Minimum -- Maximum)	LAC 33:IX.1113.C.1

\* Daily Maximum

\*\* Monthly Average

BPJ Best Professional Judgment  
 MGD Million Gallons per Day

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COD Chemical Oxygen Demand

1. Discharge shall be sampled whenever there is a presence of a visible sheen.
2. When discharging.

**Treatment:** None

**Monitoring Frequency:** 1/day for Visible Sheen. Flow, COD, Oil & Grease, and pH shall be monitored once per event, at the point of discharge from the vessel/dry dock prior to combining with other waters.

**Limits Justification:** Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

#### **Storm Water Pollution Prevention Plan (SWP3) Requirement**

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 3731 are considered to have storm water discharges associated with industrial activity. In addition to the SWP3, the barge BMPs will be applied because barge BMPs are comparable to the SWP3 requirements.

**For first time permit issuance,** the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. **For renewal permit issuance,** the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II of the permit).